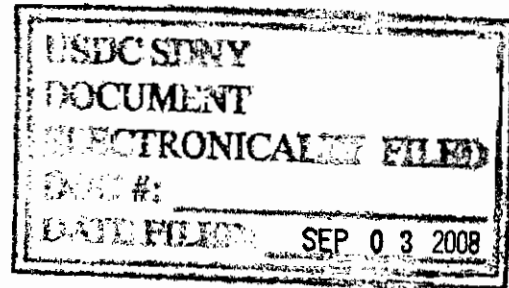


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ANDRIS KURINS, individually and as a Shareholder
of SILVERSEAL CORPORATION,

Plaintiff,

-v-

No. 08 Civ. 6886 (LTS)(GWG)

JOHN SILVERMAN and ALAN SERRINS,

Defendants.
-----X

ORDER

In this removed action asserting RICO claims, Defendants moved to dismiss the complaint for insufficient service and for failure to state a claim on August 8, 2008, approximately a week after the notice of removal was filed with this Court. It appears that no courtesy copy of the motion papers was provided for chambers. Six days later, the Court issued its standard Initial Conference Order for RICO cases, directing Plaintiff to prepare and serve a supplemental RICO Statement, and suspending defendant's obligation to respond to the complaint until 30 days after service of the RICO Statement. Plaintiff filed its opposition to the motion to dismiss on August 14, 2008 (the same day that the Court issued its order directing Plaintiff to prepare the RICO Statement), and Plaintiff filed its RICO Statement with this Court on August 26, 2008.

The parties now dispute whether the Initial Conference Order's extension of the time to respond to the complaint in effect also extended Defendant's time to file its reply papers in connection with the pending motion to dismiss the complaint. It is hereby

ORDERED, that Defendants, who initiated motion practice directed solely to the complaint and have received opposition papers responding to the motion as originally interposed, shall file and serve their reply papers (with a courtesy copy provided for Chambers) no later than **September 10, 2008**. It is further

ORDERED, that the parties shall discuss the issues raised in this litigation in the mediation process that is ongoing pursuant to the direction of The Honorable Herman Cahn, J.S.C., in connection with the related state court dissolution proceedings.

Dated: New York, New York
September 2, 2008

A handwritten signature in black ink, appearing to read "Laura Taylor Swain".

LAURA TAYLOR SWAIN
United States District Judge